

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79180 of 2025

Arising Out of PS. Case No.-454 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Seema @ Simiya Khatoon @ Sima Sah aged 38 years, Female, W/O Ranjeet Sah R/O Nageshwarbag, Khuskibag, P.S.- Sadar, Distt- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Katihar Nagar Sahayak P.S. Case No. 454 of 2024, dated 29-06-2024, registered under Sections 414,399, 402, 323,307, 353 and 332 of the Indian Penal Code and Sections 25(1-B)a/26/27/35 of the Arms Act and Sections 8(c) and 21(a) of the Narcotic Drugs and Psychotropic Substances Act.

3. As per the FIR, on 29.06.2024, the police received secret information that members of the *Simiya Khatoon* (petitioner) Gang were planning to commit a loot near Budhuchak. Acting on this information, the SHO, Sahayak PS Katihar, along with other police personnel, proceeded to the place of occurrence, where one of the accused persons allegedly



opened fire on the police party. However, the police succeeded in apprehending four accused persons. It is further alleged that during the search, the police claim to have recovered a country-made pistol, three live cartridges, several mobile phones, two motorcycles, and a total of 1.36 grams of smack from possession of the accused persons. Thereafter, a seizure list was prepared to this effect.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in the present case. It is submitted that there is no specific allegation against the petitioner in the entire written complaint. It is submitted that from a bare perusal of the written complaint, it would appear that merely on the basis of secret information, the police apprehended four accused persons at the spot, who disclosed the name of the petitioner and claimed that they were members of the petitioner's gang. Except this, no incriminating article has been recovered either from the house or from the conscious possession of the petitioner. It is further submitted that the petitioner is a lady and was not apprehended at the place of occurrence. During investigation, the apprehended accused persons informed the police that they were waiting for the petitioner and other accused persons to arrive for committing



some offence. It is also submitted that '*Ganja*' like substance was recovered from the possession of co-accused Kalua @ Gurudev Sah alone. Learned counsel next submits that the co-accused persons, who were either apprehended at the spot or arrested subsequently, have already been enlarged on bail by different Co-ordinate Benches of this Court passed in Cr. Misc. Nos. 81528 of 2024, 68368 of 2024, 76881 of 2024, 66976 of 2024 and 78553 of 2024, by orders dated 08.04.2025, 01.10.2024, 11.02.2025, 26.09.2024 and 13.12.2024. Lastly, it is submitted that the petitioner has been in custody since 28.07.2025 and 11 criminal cases are pending against her.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge -IV, Katihar, in connection with Katihar Nagar Sahayak P.S. Case No. 454 of 2024, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on



his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case..

7. The application stands allowed.

(Khatim Reza, J)

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